

## Substantive Law Training Topics for Temporary Judges in Small Claims Court

Court-appointed attorneys serving as temporary judges in small claims court must take courses by July 1, 2006, and every three years thereafter, on small claims court procedure, ethics, and selected areas of substantive law. [CCP §116.240(b); CRC 1726(b); Stats 2005, ch 618, §1(b)(4).] By January 1, 2007, temporary judges must have attended and successfully completed within the previous three years a course of at least three hours' duration on similar topics. [See CRC 243.11(e) 243.13(c)(3)(A), 243.14(c)(1).] A review of the following resources will help satisfy the substantive law training requirement for new temporary judges or those who have not satisfied this requirement in the past three years.

The areas of substantive law listed in **CCP §116.240(b)**, along with study resources, include:

1. **Landlord/tenant law**, including applicable county-specific rent deposit law
  - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §§5.154–5.171
2. **State and federal consumer laws**, which may include the following examples:
  - a. **Home improvement laws**, including Contractor's License Law and Home Improvement Contracts
    - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §§5.129–5.135
  - b. **Consumer Legal Remedies Act**
    - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §§5.27–5.32
  - c. **Solicitation and advertising laws**, including unsolicited goods; unsolicited faxes, emails, or telephone calls; home solicitation; and seminar sales *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §§5.118–5.128
  - d. **Specialty service contract laws**, including dance studios, health studios, dating services, weight loss services, rent/purchase agreements, electronic and appliance repair, household moving, and bailments
    - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §§5.81–5.102, 5.136–5.141, 5.145
  - e. **Credit reporting laws**, including federal Fair Credit Reporting Act and state Consumer Credit Reporting Agencies Act and Investigative Consumer Reporting Agencies Act
    - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §§5.52–5.59, 5.66
3. **State and federal Fair Debt Collection Practices Acts**
  - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §§5.62–5.64
4. **Federal Truth in Lending Act** [15 USC §§1601–1693r; 12 CFR Part 226, Reg Z]
  - *Consumer Law Sourcebook for Small Claims Court Judicial Officers* (Cal DCA 1996) vol III, ch 27, Truth in Lending Act and Regulation Z, §§27.29–27.124
5. **Federal Fair Credit Billing Act** [15 USC §§1666–1666j]
  - *Consumer Law Sourcebook for Small Claims Court Judicial Officers* (Cal DCA 1996) vol III, ch 28, Payment Mechanisms, §§28.102–28.128

6. **Federal Electronic Fund Transfer Act** [15 USC §§1693–1693n]
  - *Consumer Law Sourcebook for Small Claims Court Judicial Officers* (Cal DCA 1996) vol III, ch 28, Payment Mechanisms, §§28.156–28.184
7. **Tort law**
  - *Consumer Law Sourcebook: Small Claims Court Laws & Procedure* (Cal DCA 2005) ch 12, Damages and Other Remedies, §§12.2.1–12.2.3, 12.5.1–12.6.9
8. **Contract law**, including online purchasing and defenses to contracts and debts
  - *Consumer Law Sourcebook: Small Claims Court Laws & Procedure* (Cal DCA 2005) ch 12, Damages and Other Remedies, §§12.2.1–12.2.3, 12.4.1–12.4.9

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Other training topics listed in **CRC 1726** include:

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9. **State credit transaction laws**, *e.g.*, the Unruh Retail Installment Sales Act, Song-Beverly Credit Card Act, and consumer credit contracts
  - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §§5.3–5.21
10. **State financing transaction laws**, *e.g.*, the California Finance Lenders Law
  - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §§5.23–5.26
11. **Vehicle sales, leases, rentals, and repairs**
  - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §§5.33–5.51
12. **Warranty law**, *e.g.*, the Song-Beverly Consumer Warranty Act, Lemon Law and Lemon Law buyback notice, and UCC warranties
  - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §§5.103–5.117
13. **Negotiable instruments law**, *e.g.*, bad checks
  - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §6.4
14. **Professional and occupational licensing**
  - *California Judges Benchbook: Small Claims Court and Consumer Law* (CJER 16th ed) §6.5
  - Department of Consumer Affairs licensee information:  
[http://www2.dca.ca.gov/pls/wllpub/wllquery\\$.startup](http://www2.dca.ca.gov/pls/wllpub/wllquery$.startup)